



PREPROPOSAL STATEMENT OF INQUIRY

(RCW 34.05.310)

CR-101 (7/22/01)

Do **NOT** use for expedited rule making

Agency: Employment Security Department

Subject of possible rule making: Adopt rules to implement the changes contained in Chapter 4, Laws of 2003, 2nd Special Session (2ESB 6097) to the unemployment compensation program. Interpretive rules will clarify requirements related to job separations due to voluntary quits and discharges, penalties for gross misconduct, part-time workers, job search requirements, and the calculation of maximum benefits payable. Rules will be adopted to define terms. Existing rules related to job separations, job search requirements, and suitable work will be amended.

(a) Statutes authorizing the agency to adopt rules on this subject: RCW 50.12.010, RCW 50.12.040, and Chapter 4, Laws of 2003, 2nd Special Session, §34.

(b) Reasons why rules on this subject may be needed and what they might accomplish: The legislation substantively revises the state laws that govern an individual's eligibility for unemployment benefits. These changes represent significant changes to the decision-making process. Interpretive rules will be needed to clarify how eligibility will be determined under the new laws. Existing rules apply only to claims filed prior to January 4, 2004, and must be amended to reflect the new statutes. The calculation of maximum benefits payable needs to be clarified in terms of how it is calculated and the effective date of any change. The rules will clarify for claimants and employers how the department will implement those sections of the legislation that pertain to job separations, job search requirements, suitable work, and the calculation of maximum benefits payable.

(c) Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: The U.S. Department of Labor reviews the state's administration of the unemployment insurance program to ensure conformity to federal statutes and regulations. The state has broad flexibility in the implementation of unemployment insurance laws as long as conformity is maintained. The proposed regulations will be shared with USDOL prior to adoption.

(d) Process for developing new rule (check all that apply):

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study
- ☐ Other (describe)

The department intends to hold informal meetings with stakeholders and interested parties to obtain input on the proposed rules.

(e) How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers of persons to contact; describe meetings, other exchanges of information, etc.)

Persons interested in attending meetings to discuss the proposed rules should contact:

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